

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DANIEL CARSTAIRS, on behalf of himself
and all others similarly situated,

Plaintiff,

- vs -

UNIVERSITY OF ROCHESTER,

Defendant.

Civil Action No.:
20-cv-06690-CJS

**DECLARATION OF
ROBERT L. CLARK, Ph.D.**

Robert L. Clark, Ph.D., pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct, unless stated upon information and belief:

1. I am a legal adult of sound mind, have personal knowledge of the facts stated in this declaration, and, if called upon to do so, could testify competently to those facts.

2. I am Provost and Senior Vice President for Research for the University of Rochester (“Rochester”).

3. I submit this declaration in support of Rochester’s Motion to Dismiss the Complaint filed by Plaintiff Daniel Carstairs (“Plaintiff”).

4. All Rochester students are required to complete a Financial Responsibility Agreement (“FRA”) to register for classes at Rochester. True and correct copies of the FRA agreed to by Plaintiff on July 13, 2018, and April 21, 2020, respectively, are attached hereto as Exhibit A.

5. I understand that Plaintiff’s Complaint links to a document called “University of Rochester – Credit Hour Policy and Compliance” (*see* Compl., ¶ 24 n.2). The undated document linked to by the Complaint is not the version of Rochester’s Credit Hour Policy and Compliance that was in effect for the Spring 2020 academic term. A true and correct copy of “University of

Rochester – Credit-Hour Policy and Compliance” (the “Credit-Hour Policy”)—which has been in effect since March 2019, was in effect during the Spring semester of 2020, and remains in effect today—is attached hereto as Exhibit B. The Credit-Hour Policy is and was made available to students on the Office of the Provost’s section of Rochester’s website, which provides a link to the Credit-Hour Policy among Rochester’s “Academic Policies & Procedures” related to Academic Administration. See www.rochester.edu/provost/academic-policies-procedures/ (last visited Dec. 2, 2020) (linking to the Credit-Hour Policy under “Verification of Compliance”).

6. Rochester makes its Official Bulletin – Undergraduate Studies (the “Undergraduate Bulletin”) available to students as a key source of information regarding undergraduate education at Rochester. A true and correct copy of the Undergraduate Bulletin for years 2019–2021, which version was in effect during the Spring semester of 2020, is attached hereto as Exhibit C.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: December 4, 2020



Robert L. Clark, Ph.D.